



*Congress of the United States  
House of Representatives  
Washington, D.C. 20515*

*Anna G. Eshoo  
Fourteenth District  
California*

*MP  
Navigation  
Devices  
JG  
1/15/10*

October 7, 2010

The Honorable Julius Genachowski, Chairman  
Federal Communications Commission  
445 12 Street, SW  
Washington, D.C. 20544


Dear Chairman Genachowski,

We write to emphasize our support for competition in the pay-TV navigation device market. When Congress passed the Telecommunications Act of 1996, it included a provision, Section 629, which required the FCC to establish rules to increase consumer choice in navigation devices. We believe that the Commission's current rules are inadequate and have further to go to meet Congressional intent.

The CableCARD regime has not allowed for innovation in this market, and the implementation of the current system has left consumers frustrated with the difficulties of installation and maintenance. As a result, there has been little innovation in this area. As the Commission considers new rules for this area, we urge the FCC to ensure that consumers using retail navigation devices are on equal footing with leased boxes. The rules – at the very least – should enable retail set top box consumers to receive all channels they have paid for without additional charges, and allow consumers to self-install a CableCARD, a process that should be as simple as inserting a memory card into a digital camera and calling the cable company to complete the work on their end. And we believe that two-way digital communication between the box and the cable provider is a great step toward moving toward parity with cable-provided set-top boxes.

We also urge the Commission to take very seriously the individual consumer concerns in the record. While this issue does not have the profile of other major items that the Commission seeks comment on, it's clear that individual consumers are begging the Commission to create a fair set of rules that allow for them to choose a different way experience pay-TV content.

Sincerely,

  
Anna G. Eshoo  
Member of Congress

  
Michael F. Doyle  
Member of Congress

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

November 29, 2010

The Honorable Anna G. Eshoo  
U.S. House of Representatives  
205 Cannon House Office Building  
Washington, D.C. 20515

Dear Congresswoman Eshoo:

Thank you for your letter regarding the Commission's CableCARD rules and ongoing efforts to promote the development of a competitive market for retail navigation devices, as contemplated in Section 629 of the Communications Act. I agree that the Commission's CableCARD regime has not worked effectively to encourage the development of a competitive market for navigation devices, and has not provided the intended benefits to consumers.

I am pleased that the Commission adopted the *Third Report and Order and Order on Reconsideration* at its October Meeting to revise the CableCARD rules. The new rules established by the *Order* will require comparable treatment of retail and leased devices. By ensuring that the consumers get the equipment credit and services to which they are entitled, the rules also will create a level playing field for consumers who buy set-top boxes. The rules streamline installation, including self-installation, and make billing more transparent. They also streamline the process for getting set-top boxes to market by eliminating unnecessary delays and costs associated with set-top box testing and certification.

Of course, this is only one step toward unleashing maximum innovation through TV. A major element still to be addressed is the possibility of increased interoperability between a consumer's pay-TV programming stream and the consumer's broadband stream of data. As the National Broadband Plan described, one approach may be to utilize a gateway device to the consumer's home that would preserve the integrity of the pay stream, while spurring greater innovation around it in new devices and services. The Commission is examining the proposals outlined in the "AllVid" *Notice of Inquiry*, which requested public comment on specific steps to establish a standardized interface or "gateway" that would enable smart navigation devices to deliver video from any multichannel video programming distributor, the Internet, and other sources together.

I appreciate your interest in this important matter and look forward to working with you as the Commission continues to revise its rules and policies governing video navigation devices. Please do not hesitate to contact me if I may be of further assistance.

Sincerely,

Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

November 29, 2010

The Honorable Mike Doyle  
U.S. House of Representatives  
401 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Doyle:

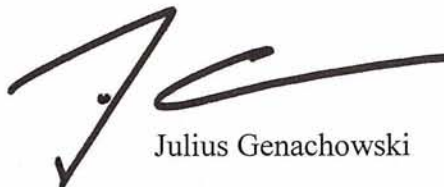
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Julius Genachowski